

MEXICO.

PREPARATIONS FOR THE PRESIDENTIAL ELECTION—THE CONSTITUTION OF 1857—PORFIRIO DIAZ A RIVAL CANDIDATE OF JUAREZ—CONFISCATION OF PROPERTY OF ABSENT

CITY OF MEXICO, Sept. 9, 1867.

The *convocatoria*, or proclamation of President Juarez, ordering a general election of President, Supreme Court, Congress, State Governments, and, in short, of nearly every other kind of authority in the Republic, is still the absorbing topic of conversation.

The "Constitutional Government" made its solemn entry into this capital on the 15th of July last, and, although its reception by the inhabitants was unmistakably cold, it nevertheless came with the prestige of success, and amid a general expectation that it would, without delay, begin the great work of civil pacification and reestablishment of constitutional limited government in the place of the complex military despotism which had previously reigned. The first step in this first step in that direction would be to issue writs for the election of the ordinary regular authorities. As such a proceeding seemed a very simple one, the press and the public gen-

trally because impatient and, at last, very clamorous at the delay of the President in announcing his decision of the all-important question. On the 10th of last month that the President signed the *concordato*, and within a day or two thereafter it was given to the public. It produced intense excitement, and amazed both his friends and his foes. The unofficial press, the *Realista*, was unanimously in arms against it. Prominent Liberal politicians who had but just accepted office under the Administration commenced resigning. At one time a general stampede seemed threatened, and the President himself, who had been so often induced politicians to remain in office under a President they oppose, at least in opin-

ing, put a partial stop to it. Protesta from public meetings, municipal corporations, political clubs, and *periodicos* were all in vain. The committee which exist in every Mexican town for arranging public political celebrations, came pouring in. The press of this capital decried the protest, and the committee sought to cast all the blame. The state of public feeling was such as in the old days of *pronunciamento* would have been sufficient to bring down the government. But the *concejal* besought, and urged him to retrace his steps and modify the *concejaloria* into a simple ordinary right of election. The *concejal* refused. He would have no more of the supply of that political quality called "back-bone." And precisely the reverse. On the 22d inst. he issued an address to the people, in which he said that he would resign the *concejaloria*, announcing his determination to retain his ministry, contemptuously characterizing the opposition as "a few who do not understand the capital," and appealing to the people of the State to sustain him.

This bold proceeding was a direct challenge against the President, who at that time was struggling against his opponents. His opponents have become unanimous in deprecating any appeal to force or pressure, and express their intention to fight the issue as a constitutional question. The right to elect a constituency, at the polls. But, nevertheless, the issue is distinctly made up; let us see what it is.

The Mexican Constitution of 1857 is theoretically the fundamental law of Mexico, and its provisions are set forth in the effect of all. It contains a vicious provision by which the Congress can suspend the writ of *habeas corpus*, but *all* the guarantees of the life, liberty, and property of the citizen and the home even been interpreted, according to the views of the Congress power to suspend the Constitution itself, in giving the President "ample facilities"—a Mexican legal term, which practically means "absolute power." In 1903, during the Presidency of Porfirio Diaz, the Congress conferred on the President "ample facilities," during the continuance of

the war with France; and on the 28th has been unanimously adopted. The Constitution unmistakably confines to the Congress the power to propose amendments to that instrument, and minutely prescribes the mode of their adoption. Among the points of difference between the progressive and reactionary parties, the public mind has been in respect to the feeling evinced concerning them, were those relating to the eligibility of ecclesiastics to office, the continuance of the Senate, the creation of a committee of the Congress, with power during its recess to order an extra session of that body, and the determination of the annually collection of civil or military forces. It was especially obvious, as experience had shown it to be

generally the model of retrogradism. The liberal party, which stood specifically for the freedom of the press, was also the champion of the cause of the regeneration of the country, advocated a Congress composed only of a chamber of popular representatives, and was the party triumphed in the Constitution of 1867, and under it the Mexican Congress was constituted on the model of the English House of Commons. The liberal party, as it was called, was, as itself states, by virtue of his "ample facilities, proposals, and, to some extent, carried into effect, most rapid and efficient means of reform."¹

It renews a decree of his own in 1864, making ecclesiastical dignitaries ineligible to Congress, and abolishing all restrictions on the press, and making no distinction between the electing body, or making office-holders ineligible.

It invites, and the form prescribed for voting is such that it practically requires the elector to be present, and to adhere to whether the next Congress of the Union, with

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On Sunday the 22d of this month, the elections are to be held for electors; these under the Mexican system of indirect election, are the real constituency of the country. On October 6, these electors will vote in their respective districts for Members of Congress; on the 7th for President of the Republic, and President of the Supreme Court; and on the 8th for the other members of the Supreme Court.

Court, and of the Chancellor and Attorney-General. Congress will assemble on the 20th of November, and on December 1st the new President, the Supreme Court, &c., be inaugurated. Fifteen days after his receipt of the *consecration*, each State Governor shall order an election of Governor, Legislature and other officers of his State, according to its constitution and laws.

Maximilian is a candidate for re-election to the Presidency, and before the issue of the *consecratoria*, there was every indication that he would meet with no opposition.

The most important question to be decided will be the punishment of the Government's final decision in regard to the Imperialist prisoners in this city. It pleases and satisfies nobody, unless it be the government and the secret enemies of the Emperor, that the prisoners should be set at liberty without the state formality of letting him know anything about it. While its general scope is too lenient to satisfy the extremists of the Liberal party, its details, in the treatment of the Emperor, are too severe. The prisoners are severely criticised. Its general features seem to be these: The ministers and diplomatic servants of Maximilian and the two members of the regency, are banished; the Emperor is to be kept in prison; the Emperor's faithful to him after the departure of the French, are sentenced to four years' imprisonment; those of the

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powerful protest, asserting that he has been condemned without notice or hearing, and claiming his privilege under the Constitution to be indicted for a crime only after previous permission of Congress. There is much curiosity to know how the affair will end.

There is also the confession of the estates of prominent Imperialists now in Europe: Almonte, Urago, Lares, Ramirez, Siliceo, Escudero y Echano, and Somera. Lawyers here express little confidence in the *carro* (that is, ex-Imperialist) journal here asserts that eminent Liberal counsel have given the opinion not only that the confiscations will be unconstitutional, but that the confessions will be liable for damages to the owners of the

Property attempted to be confiscated. The military prisoners in this city were to have been sent to the interior, but the rumor said either to Perote or Puebla—but for some undisclosed reason the move was postponed, and it is now asserted that they will continue to be confined here. The city was fitted up as the prison of the civilians. To the great credit of President Juarez (who, where some real or fancied duty is concerned, does interfere), the military and civil-hearted man State does not interfere with military and civil, have been treated with great civility and humanity.

In the commercial world, and in society, settled good conduct, and a steady, unflinching, persevering in anything until the election and the meeting of Congress disclose whether this country is to have a stable government